



REGISTRAR OF REGULATIONS

08 NOV -5 PM 3: 00

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 054-021, BACK RIVER EFFECTIVE 19 NOVEMBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

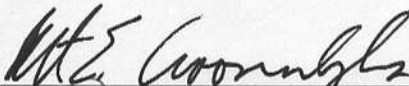
1. The "Notice and Description of Shellfish Area Condemnation Number 054-021, Back River," effective 13 December 2007, is cancelled effective 19 November 2008.
2. Condemned Shellfish Area Number 054-021, shown as Sections A, B, C, D, and E is hereby established effective 19 November 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Back River, Condemned Shellfish Area Number 054-021, 19 November 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 054-021, shown as Section M1, is hereby established effective 1 April 2009, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this area is shown on the map titled "Back River, Condemned Shellfish Area Number 054-021, 19 November 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 054-021

- A. The condemned area shall include that portion of the Northwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°06'51.8", -76°21'31.3") and map coordinate (37°06'31.6", -76°21'53.0").
- B. The condemned area shall include that portion of the Southwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°04'41.0", -76°20'32.0") and map coordinate (37°04'32.1", -76°20'17.1").

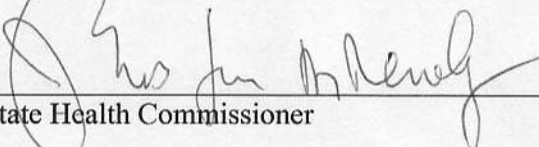
- C. The condemned area shall include that portion of the Southwest Branch of Back River and its tributaries lying upstream and inland of a line drawn between latitude / longitude map coordinate (37°04'46.2", -76°20'06.3") and map coordinate (37°04'58.2", -76°19'38.0").
- D. The condemned area shall include all of Watts Creek lying upstream of a line drawn between latitude / longitude map coordinate (37°06'41.0", -76°21'18.9") and map coordinate (37°06'44.0", -76°20'59.1").
- E. The condemned area shall include all of Tabbs Creek lying upstream of a line drawn between latitude / longitude map coordinate (37°06'19.4", -76°21'52.9") and map coordinate (37°06'15.6", -76°21'42.8").
- M1. The seasonally condemned area shall include that portion of Front Cove lying upstream of a line drawn between latitude / longitude map coordinate (37°06'26.2", -76°19'07.5") and map coordinate (37°06'37.4", -76°18'58.7"), but downstream of a line drawn from map coordinate (37°06'39.9", -76°19'11.6") to map coordinate (37°06'45.5", -76°19'04.3").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

11/4/08

Date

Virginia Department of Health
Back River
Condemned Shellfish Area Number 054-021
19 November 2008

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